

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No.: 5:22-CV-00068-BO

YOLANDA IRVING, individually and as the
natural parent and guardian of J.I., JUWAN
HARRINGTON, CYDNEEA
HARRINGTON, KENYA WALTON
individually and as the natural parent and
guardian of R.W., ZIYEL WHITLEY,
DYAMOND WHITLEY, KAMISHA
WHITLEY, and NANETTA GRANT as the
natural parent and guardian of Z.G.,

Plaintiffs,

vs.

THE CITY OF RALEIGH, Officer OMAR I.
ABDULLAH, Sergeant WILLIAM ROLFE,
Officer RISHAR PIERRE MONROE,
Officer JULIEN DAVID RATTELADE, and
Officer MEGHAN CAROLINE GAY, and
JOHN and JANE DOE Officers 1-10, in their
individual capacities,

Defendants.

**DEFENDANT ROLFE'S MOTION TO
ATTEND SETTLEMENT
CONFERENCE BY VIRTUAL MEANS**

NOW COMES Defendant Sergeant William Rolfe, by and through the undersigned counsel, and respectfully requests that he be allowed to attend the upcoming Court-hosted settlement conference remotely via telephone and/or video conference. In support of this motion, the Defendant shows unto the Court the following:

1. A court-hosted settlement conference is scheduled before the Honorable United States Magistrate Judge Robert B. Jones, Jr., on Monday, August 15, 2022. The undersigned, along with the City of Raleigh's legal counsel and other representative(s) will be present in person for the mediation, as required by the Court's rules. Representatives of the City of Raleigh's insurance carrier(s) are also anticipated to attend and participate remotely.

2. Sergeant Rolfe is sworn law enforcement officer serving with the City of Raleigh's Police Department. The City and/or the City's carriers are providing a defense for Sgt. Rolfe in this matter.
3. Sgt. Rolfe's personal attendance is highly unlikely to provide any additional contribution or benefit to the settlement conference. In fact, Sgt. Rolfe has indicated that he was not even present for the incidents on Burgundy Street in Raleigh, as he was out of town on vacation at the time of the incidents at issue.
4. Given the travel distance and current COVID-19 conditions, together with the limited (or non-existent) benefit of having him attend in person, Sgt. Rolfe respectfully requests that he be allowed to participate remotely. Further, Sgt. Rolfe respectfully submits that the spirit and intent of the settlement conference can be fully and adequately met through his remote attendance, and that no party will be prejudiced by his attendance by virtual means.
5. Counsel for Defendant, Mr. Blanchard, has attempted to confer with Plaintiffs' counsel, Mr. Rubert-Schewel, but has not yet received any response about Plaintiffs' position on this request.

WHEREFORE, Defendant William Rolfe hereby requests permission to attend the settlement conference by virtual means. A proposed Order is attached.

Respectfully submitted this the 3rd day of August, 2022.

/s/Norwood P. Blanchard, III

Norwood P. Blanchard, III

NC State Bar No. 26470

Crossley McIntosh Collier Hanley & Edes, PLLC

5002 Randall Parkway

Wilmington, NC 28403

Tel: (910) 762-9711

Fax: (704) 334-4706

norwood@cmclawfirm.com

Attorney for Defendant Sergeant William Rolfe

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May ____, 2022, a copy of the foregoing **Motion to Attend Settlement Conference by Virtual Means** was electronically filed with the Clerk of Court using the CM/ECF system, which will serve the counsel of record as follows:

Robin L. Tatum, City Attorney
Dorothy V. Kibler, Deputy City Attorney
N.C. Bar No. 13571
P.O. Box 1949
Raleigh, NC 27602
Tel: (919) 996-6560
Fax: (919) 996-7021
Dorothy.Kibler@raleighnc.gov
ATTORNEYS FOR DEFENDANT CITY
OF RALEIGH

Michael L. Littlejohn, Jr.
Littlejohn Law, PLLC
227 W. 4th Street, Ste B-113
Charlotte, NC 28202
Email: mll@littlejohnlaw.com
Attorneys for Plaintiffs

Abraham Rubert-Schewel, Esq.
Emily Gladden, Esq.
Tin Fulton Walker & Owen, PLLC
204 N. Person Street
Raleigh, NC 27601
Email: schewel@tinfulton.com
Email: egladded@tinfulton.com
Attorneys for Plaintiffs

RODNEY E. PETTEY
N.C. State Bar No.: 17715
rpetty@ymwlaw.com
SAMUEL G. THOMPSON, JR.
N.C. State Bar No.: 32960
bthompson@ymwlaw.com
Yates, McLamb & Weyher, LLP
Post Office Box 2889
Raleigh, North Carolina 27602
*Counsel for Officer Rishar Pierre Monroe,
Officer Julien David Rattelade and
Officer Meghan Caroline Gay*

Ian A. Mance
Elizabeth G. Simpson
Emancipate NC
P.O. Box 309
Durham, NC 27702
Email: ian@emancipatenc.com
Email: elizabeth@emancipatenc.com

Jason R. Benton, Esq.
NC State Bar No.: 27710
Parker Poe Adams & Bernstein, LLP
620 South Tryon Street, Suite 800
Charlotte, NC 28202
jasonbenton@parkerpoe.com

This the 3rd day of August, 2022.

/s/Norwood P. Blanchard, III
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